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PTO/SB/05 (4/98)

Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 003543.P002

First Inventor or Application Identifier Hai Bui

Title CONSTANT OCULAR PRESSURE ACTIVE INFUSION SYSTEM

Express Mail Label No. EL236786540US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

- Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
- Specification [Total Pages 23]
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
- Oath or Declaration [Total Pages 2]
 - a. Newly executed (original copy)
 - b. Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR §§ 1.63(d)(2) and 1.33(b).

NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

5. Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Copy
 - b. Paper Copy (identical to computer copy)
 - c. Statement verifying Identity of above copies

ACCOMPANYING APPLICATION PARTS

7. Assignment Papers (cover sheet & document(s))
8. 37 C.F.R. § 3.73(b) Statement Power of Attorney
(when there is an assignee)
9. English Translation Document (if applicable)
10. Information Disclosure Statement (IDS)/PTO - 1449 Copies of IDS Citations
11. Preliminary Amendment
12. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. *Small Entity Statement(s) Statement filed in prior application,
Status still proper and desired
14. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. Other:

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

Continuation Divisional Continuation-in-part (CIP) of prior application No: _____

Prior application Information: Examiner _____ Group/Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) Correspondence address below

Name	BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP				
Address	12400 Wilshire Boulevard, Seventh Floor				
City	Los Angeles	State	California	Zip Code	90025
Country	U.S.A.	Telephone	(714) 557-3800	Fax	(714) 557-3347

Name (Print/Type) Ben J. Yorks, Reg. No. 33,609

Signature 

Date 05/21/99

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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PTO/SB/17 (2/98)

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FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.
These are the fees effective October 1, 1997.
Small Entity payments must be supported by a small entity
statement, otherwise large entity fees must be paid. See
Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$)

606.00

Complete If Known

Application Number	
Filing Date	May 21, 1999
First Named Inventor	Hai Bui
Examiner Name	
Group/Art Unit	
Attorney Docket Number	003543.P002

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number **02-2666**

Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

Charge Any Additional Fee Required Under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. Charge the Issue Fee Set in 37 CFR § 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b)

2. Payment Enclosed:

Check Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee Description	
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet.	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for reexamination	
112	920*	112 920*Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840*Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for response within first month	
116	380	216 190 Extension for response within second month	
117	870	217 435 Extension for response within third month	
118	1,210	218 680 Extension for response within fourth month	
128	1,850	228 925 Extension for response within fifth month	
119	300	219 150 Notice of Appeal	
120	300	220 150 Filing a brief in support of an appeal	
121	260	221 130 Request for oral hearing	
138	1,510	138 1510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,210	241 605 Petition to revive - unintentional	
142	1,210	242 605 Utility issue fee (or reissue)	
143	430	243 215 Design issue fee	
144	580	244 290 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Petitions related to provisional applications	
126	240	126 240 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	40.00
146	790	246 395 Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249 395 For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

40.00

SUBMITTED BY

Typed or Printed Name	Ben J. Yorks, Reg. No. 33,609	Complete (if applicable)
Signature		Reg. Number

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PTO/FE/SB/10 (1-99)

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STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(c)) – SMALL BUSINESS CONCERN		Docket Number (Optional) 003543.P002
<p>Applicant, Patentee, or Identifier: <u>Hai Bui</u></p> <p>Application or Patent No.: _____</p> <p>Filed or Issued: <u>May 21, 1999</u></p> <p>Title: <u>CONSTANT OCULAR PRESSURE ACTIVE INFUSION SYSTEM</u></p>		
<p>I hereby state that I am</p> <p><input checked="" type="checkbox"/> the owner of the small business concern identified below;</p> <p><input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below; ,</p>		
<p>NAME OF SMALL BUSINESS CONCERN <u>BiVision</u></p> <p>ADDRESS OF SMALL BUSINESS CONCERN <u>9436 Kiwi Circle</u> <u>Fountain Valley, California 92708</u></p>		
<p>I hereby state that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.</p>		
<p>I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:</p> <p><input checked="" type="checkbox"/> the specification filed herewith, with title as listed above.</p> <p><input type="checkbox"/> the application identified above.</p> <p><input type="checkbox"/> the patent identified above.</p>		
<p>If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who could not qualify as a an independent inventor under 37 CFR 1.8(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.8(d), or a non-profit organization under 37 CFR 1.8(e).</p>		
<p>Each such person, concern or organization having any rights in the invention is listed below:</p> <p><input checked="" type="checkbox"/> No such person, concern, or organization exists.</p> <p><input type="checkbox"/> Each such person, concern or organization is listed below.*</p>		
<p>Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities (37 CFR 1.8(e)).</p>		
<p>I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))</p>		
<p>NAME OF PERSON SIGNING: <u>Hai Bui</u></p> <p>TITLE OF PERSON OTHER THAN OWNER: <u>President</u></p> <p>ADDRESS OF PERSON SIGNING: <u>9436 Kiwi Cir., FOUNTAIN VALLEY, CA 92708</u></p> <p>SIGNATURE: <u>Hai Bui</u> DATE: <u>5/21/99</u></p>		

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